



PLANNING & DEVELOPMENT

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To: Reeve and Members of Council
Dwayne Evans, CAO
From: Laura Simpson, Planner
Date: 16 February, 2018
Re: **Application for Draft Plan of Subdivision 40T17002 (Ron Davidson Land Use Planning Consultant Inc.) and Application for Zoning By-law Amendment**
Applicant: **Ron Davidson Land Use Planning Consultant Inc. Owner: GJAJ Holdings Ltd. c/o Gary Rutledge**

RECOMMENDATION

The proposed Draft Plan of Subdivision is consistent with the Provincial Policy Statement, and conforms to the Huron County and Township of North Huron Official Plans. It is recommended that Township of North Huron Council:

1. Pass a resolution in **support** of the draft conditions that have been attached to this report and direct the Clerk to forward them to the Huron County Planning and Development Department for consideration by the approval authority; and
2. Pass a resolution in **support** of the proposed Plan of Subdivision and direct the Clerk to forward the resolution and the documentation required under Section 6. (3), Regulation 544/06 of the Planning Act to the Huron County Planning and Development Department for consideration by the approval authority.

The proposed Zoning By-law Amendment is conforms to the North Huron Official Plan and it is recommended that the application for a zoning by-law amendment be **approved**.

PURPOSE AND DESCRIPTION

Ron Davidson Land Use Planning Consultant Inc. as the agent for GJAJ Holdings Ltd. has made an application to the County of Huron for Draft Plan approval to create a plan of Subdivision with Lots and Blocks on the lands legally known as Plan 173, Part of Lots D, E and F, Blyth Ward in the Township of North Huron. The Plan of Subdivision application was declared complete on December 5th 2017.

There was also a Zoning Amendment application submitted to be considered by the Township of North Huron Council related to the development of the area. The Public Meeting for the Zoning Amendment application was held on January 15th 2018.

The public meeting for the Draft Plan of Subdivision was held by the Township of North Huron on January 15th, 2018; with County Councillor Art Versteeg present as a representative for the County.

The plan of subdivision contains a total of sixteen lots and six blocks with residential units on municipal services. This subdivision is proposed to develop with a variety of housing types and include a new interior municipal street to extend from the extension of North Street to the current access onto Queen Street with a stub for a future allowance into abutting future development lands.

COMMENTS RECEIVED

A total of four letters have been received from agencies; and four letters from neighbouring landowners. Agency letters have been received from Canada Post, the Huron Perth Catholic District School Board, and the Historic Saugeen Metis. None of these agency comments have raised concerns with the proposed Plan of Subdivision. Comments from Canada Post regarding community mailboxes and their location and installation have been incorporated into the conditions of draft approval.

Maitland Valley Conservation Authority submitted comments regarding the regulated portion of the subject property and the applicable regulations under the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations* (Ontario regulation 164/06). Their comments outlined items they would require to be included in the final stormwater management report (SWM) and site grading plan, including detailed information on how water treatment is achieved with the proposed swale system given the soil type; and confirmation of the capacity of the municipal Whitfield Drain including restrictions caused by the culvert and any vegetation or sediment accumulation. They had no outstanding concerns with the applications and their comments were incorporated into the conditions of draft approval.

Comments were received from Bruce Potter of BM Ross and Associates, who reviewed the submitted Site Servicing Study and Draft Plan of Subdivision on behalf of the Township of North Huron. His comments addressed the following:

Municipal water servicing: water pressure and flow availability should be calculated for available fire flow and maintaining pressures. The existing 38mm diameter watermain on North Street should be upgraded to a minimum of 150mm to support the proposed development.

Storm servicing and stormwater management (SWM): A final SWM plan is required and must include input and final approval from the MVCA as well as North Huron. The response from GM BluePlan to BM Ross' comments indicated there should not be a concern with the quantity of water entering into the Whitfield Drain and there is the available capacity in the event of a 100-year storm. Based on the proposed water quality measures for the SWM, geotechnical work is likely to be required to be completed by the developer and if any further water quality measures were required they can implemented without changing the current Draft Plan. If the existing drain was to be relocated, an amendment to the municipal drain report would be required.

The comments submitted by Margaret Duarte explained her concerns with the proposed rental units for the 4 townhouses on Block 8, as it directly abuts her rear yard and concern with the type of tenants and possible noise produced, and effect on their property. The developer has indicated they plan on constructing a fence around the townhouse properties and in the North Huron Zoning By-law, Section 3.28 requires a planting strip to be installed between properties with multiple residential units and abutting lots with single detached dwellings. In lieu of a planting strip, a fence may be constructed and the property would also be subject to site plan control.

The letter submitted from Ernest Dow includes questions about the expected traffic volume on North Street, servicing along North Street and drainage and erosion measures. A Traffic impact Study was not required as part of the Plan of Subdivision application and it is noted that North Street is a municipal road allowance that extends to the east beyond what is currently developed as a means of road network connection to the Future Development lands. The responses from GM BluePlan indicated there is not a concern with the capacity of the Whitfield Drain or Blyth Creek for the amount of water from the development and MVCA will be required to be consulted with for any proposed development in the area adjacent to the watercourse, including any fill or grading, and they must give final approval in the submitted SWM Plan.

The letter received from Brenda Gordon contained questions about the traffic and widening of North Street, snow removal, stormwater management, fencing and tree removal. Similar in response to the above comments, North Street is not a 'dead-end road' but part of the road allowance to be extended and brought up to municipal standards. The pattern of snow removal will be confirmed once the development is completed but discussion with North Huron Public Works was encouraged to ensure the path of the snow removal does not negatively impact her residence. The detailed stormwater management plan would be submitted as a condition of draft approval and would detail the methods of water flow down to the south end of the subject property and outletting into the storm drains and Whitfield Drain. Tree removal is ultimately the responsibility of the property owner on which they are located, but consideration should be given to existing trees in poor health or at risk of decay, such as ash.

The letter received from Stephen Webster indicated that he had no objections for the proposed development as long as it does not further restrict his livestock capacity ability, but would like it noted that the property in the north of Blyth that abuts his farm that is designated Highway Commercial and zoned Community Facility has previously been planned for the construction of a church and he would oppose a new type of development on that property that is not a church or similar use.

PLANNING COMMENTS

Conformity with Planning Act

The Planning Act Section 51(24) and the Subdivision Act direct that decisions about Draft Plans of Subdivision shall have regard for the health, safety, convenience, accessibility for persons with disabilities, and the welfare of present and future inhabitants of the municipality, as well as thirteen additional matters. They are discussed below:

- (a) effect of development on matters of provincial interest;

The proposed Draft Plan of Subdivision and Zoning By-law Amendment are consistent with the Provincial Policy Statement. The Provincial Policy Statement directs that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted

The proposed development would increase the range of housing stock available in the Blyth Ward, and utilize land allocated for future development.

- (b) is the subdivision premature or in the public interest;

The Township of North Huron's Official Plan Section 6.4.3.1.5 states that new residential development shall occur at a density which efficiently uses land, resources and infrastructure and shall provide a mix of dwelling types. There is currently a limited number of single vacant residential building lots in Blyth and the proposed development recognizes demand for additional housing. By including rental townhouses and a block for a future retirement home, the draft subdivision plans is seeking to attract older occupants who are searching for housing and fulfilling the need for rental units in Blyth.

- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The Draft Plan of Subdivision and Zoning By-law Amendment conform to the Huron County and Township of North Huron Official Plans. The Huron County and Township of North Huron Official Plans encourage intensification of existing neighbourhoods, including developments on existing services. Blyth is identified as a Primary Settlement Area and is intended to be a location focused for growth and development in the County and able to offer a full range of amenities.

(d) the suitability of the land for the purposes for which it is to be subdivided;

Township staff are not concerned about the suitability of the subject land for the proposed development. It is currently designated Residential and zoned Future Development in the North Huron Official Plan and Zoning By-law, indicating that it has been allocated for future residential growth in Blyth.

(e) roads;

The North Huron Director of Public Works, Huron County Public Works and BM Ross have reviewed the existing roads and proposed new street in the Draft Plan. County Public Works indicated that Queen Street is suitable for the nature and anticipated traffic loads from the proposed development and there are no concerns. The existing municipal road of North Street is not to municipal standards and is required to be improved to meet municipal standards in addition to its extension to connect to the new proposed interior street in the subdivision.

(f) the dimensions and shapes of the proposed lots;

The draft plan of Subdivision identifies the proposed lot boundaries, which are considered to be appropriate. The existing dimensions of the subject property limit the ability for some of the proposed lots to meet the minimum required lot depth for an R2 zoned lot and still incorporate the new proposed municipal road allowance. The zoning amendment application proposes a special R2 (Residential Medium Density) zone to recognize the lots unable to satisfy the minimum lot depth.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The proposed Zoning By-law Amendment will include a holding zone provision for Lot 14's proposed zoning of R1 with regards to surface water and Conservation Authority Regulated Lands.

(h) conservation of natural resources and flood control;

The subject property features a watercourse and valley land on the southeast corner of the property. Comments received from Rachel White, Huron County Stewardship Coordinator, stated that with regards to natural heritage, the extent of these features is limited and it was not required for an Environmental Impact Study to assess any potential negative impact on the features. Comments received from Maitland Valley Conservation Authority indicated that they have no outstanding concerns with the proposed applications and that any development or site alteration would require the necessary permits from them. Their comments stated that the subject property is not affected by natural hazards as defined by Section 3.1 of the PPS, 2014.

(i) the adequacy of utilities and municipal services;

The adequacy of utilities and municipal services for the subject property have been reviewed by Public Works and BM Ross and Associates. Conditions for draft approval include requiring the upgrade of the existing watermain along North Street as the current diameter of the watermain is insufficient for the proposed development.

- (j) the adequacy of school sites;

The Huron Perth Catholic School Board has submitted a letter saying they have no concerns with the draft plan of Subdivision. It is not anticipated the proposed development will have a significant impact on enrollment in the area.

- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Due to the location and scale of the proposed Subdivision, there are no plans to require land to be conveyed for public parks. The conditions of draft plan approval include requirements for utility easements and cash in lieu of parkland requirements.

- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy;

Shared building walls, smaller dwelling units and developments within a walkable distance of parks, community facilities and commercial areas contribute to the conservation of energy.

- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters.

The proposed medium and high density blocks in the subdivision are subject to site plan control and matters such as parking, setbacks, planting strips or fencing and walkways will be taken into consideration to optimize a cohesive design and improve walkability and community safety.

Conformity with Provincial Policy Statement, 2014, Huron County Official Plan and North Huron Official Plan

The Provincial Policy Statement (PPS, 2014), Huron County Official Plan and North Huron Official Plan direct development and growth to identified Settlement Areas. In the Huron County and North Huron Official Plan, Blyth is recognized as a 'Primary Settlement Area' that is intended for growth and development with municipal services and amenities. Blyth is a 'PII' settlement area that is expected to experience a smaller amount of growth than the largest towns in Huron County but PII areas are still allocated 25% of the growth in the County.

The PPS requires land use patterns to efficiently use land resources and a mix of densities; the Huron County Official Plan established targets to promote housing affordability and increase the density of communities. 30% of the total residential development in Primary Settlement Areas are to be medium and high density- which this proposed subdivision contributes towards by offering medium density townhouse blocks and a block for future high density residential use. The North Huron Official Plan also requires new residential developments to provide a mix of dwelling types and include a range of affordable options for current and future North Huron residents.

The North Huron Official Plan recognizes that low density single detached dwellings make up a large portion of the existing established neighbourhood in the Primary Settlement Areas and low density residential development would continue to meet housing needs. The Draft Plan proposes 16 new low density residential lots, to be zoned R1 as part of the proposed Zoning Amendment.

In the North Huron Official Plan, medium density is directed to complement the surrounding low density and consider the compatibility of the scale and building height, off-street parking and pedestrian

connections and incorporating any necessary measures to avoid land use conflicts. The medium density block in the Draft Plan of Subdivision are proposed to be developed with townhouse units that provide off-street parking and appropriate in scale to the surrounding building- 1-1.5 storey buildings are proposed with the frontage for each unit exceeding what is required as a minimum frontage per unit in the North Huron Zoning By-law. The blocks for the multiple attached dwellings are proposed in the Zoning By-law Amendment to be zoned a Special R2 zone to recognize the irregular lot shape. The Draft Plan proposes 19 townhouse units on the medium density blocks.

Within the Residential land use designation in the North Huron Official Plan, the residential use for Senior Citizen's Housing is recognized and includes nursing homes, rest homes and long term residential care for seniors/physically challenged adults and seniors dwelling unit. This land use is being proposed for Block 3 of the Draft Plan of Subdivision for a future retirement home in the northeast corner of the subject property. The Huron County Official Plan identifies that a large portion of the County's population is aging and a direction for urban settlement areas is for communities that can support a variety of ages. The policies in the North Huron Official Plan include having sufficient road access and on-site parking, compatibility with adjacent residential uses and being subject to site plan control. Block 3 is abutting a medium density block and single lot zoned Highway Commercial. The land to the east of Block 3 is Future Development land, also designated Residential and there would not be expected to be conflicting land use by abutting mostly residential lands, in short or long term development.

The PPS, Huron County Official Plan and North Huron Official Plan directs that land use and development in Settlement Areas are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion. The proposed Draft Plan is being located in a fully serviced area with municipal services extending to the subject property. There is the extension of the water and sanitary services on North Street required to be brought into the proposed development and any new road construction would be to municipal standards.

The application for a Plan of Subdivision is consistent with the Provincial Policy Statement, and conforms to the Huron County and North Huron Official Plans.

North Huron Zoning By-law

The purpose of the Zoning Amendment is to change the zoning from Future Development (FD) to a series of Residential zones (R1, R2-17, R2-18 and R3). The zones will permit a mix of residential units: 16 single detached lots, 19 townhouse units, and a block to permit a retirement home are proposed. The two special R2 Zones will permit reduced minimum lot depths. The R2-17 Zone will recognize Queen Street as the exterior side lot line, and the R2-18 Zone permits a reduced rear yard setback of 5 metres and a maximum lot coverage of 54%.

The Special R2-17 Zone recognizes Queen Street as the exterior lot line to permit the new interior street in the subdivision to be front lot line for the property and allow the proposed townhouses to be situated towards it. The Special R2-18 Zone recognizes the irregular lot shape of the subject property and that a reduced rear yard setback is necessary for Block 8 to accommodate the shallow lot depth and maintain the front yard setback necessary from the road allowance and fit a parking space in front of the dwelling units.

A Holding Zone is proposed to be applied for Lot 14; the amended zone on this lot would be R1 (-h). The Holding Zone would be applied to the property until an application is made to remove the Holding symbol and the criteria is determined to be satisfied. The criteria for the removal of the Holding symbol is that there has been further investigation into the stormwater management proposed for the subject property and that consultation with the MVCA has been completed and the necessary permits for site alteration, grading and development in a regulated area have been obtained from the MVCA.

The North Huron Official Plan establishes goals for an Urban Settlement Area that includes providing opportunities for new residential development, encouraging an efficient concentration of urban uses, providing a broad mix of housing choices, promoting creative uses of building a site design in residential development and integrating new building to harmonize with established areas, and promoting walkability and safe routes for pedestrians.

The Zoning Amendment proposes to add development with mix of densities to an area already established as residential and is in conformity with the North Huron Official Plan. It is recommended that it is approved by North Huron Council.

Conclusion

The proposed Draft Plan of Subdivision is appropriate for the subject property in scale, density and location and addresses the housing need in Blyth. It is consistent with the criteria set out by the Planning Act and PPS 2014, and conforms to the Huron County and the North Huron Official Plans. It is recommended that the resolutions of support are passed.

The Zoning Amendment is appropriate for the proposed development and introduces a variety of housing options for the lots in the Draft Plan. It is in conformity with the North Huron Official Plan and it is recommended that it is approved by North Huron Council and passed by by-law to amend the North Huron Zoning By-law.

Sincerely,

Original signed by
Laura Simpson

16 February 2018
Date

Figure 1: Aerial photo showing subject lands (outlined in red)



